

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CRIMINAL NO. 1:05CR209-3

UNITED STATES OF AMERICA

VS.

PEUJON DESLIN NAZIFI

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ORDER

THIS MATTER is before the Court on the Defendant's motion to extend her report date in order that she may report directly to "boot camp." The motion is denied.

On January 5, 2005, the Bureau of Prisons (BOP) eliminated the shock incarceration treatment program, commonly referred to as the Intensive Confinement Center or "boot camp." ***Blatt v. United States*, 2006 WL 1647408 (N.D. Ill. 2006)**. The BOP's decision to eliminate this program may change the manner in which the Defendant will serve her sentence but it does not affect the lawfulness thereof. ***Id.* at **2 (citing *United States v. Addonizio*, 442 U.S. 178, 187 (1979)); *LeClaire v. United States*, 2006 WL 978707 (D. Vt. 2006); *Almanza v. Federal***

Bureau of Prisons, 2006 WL 44072, **3 (S.D. Tex. 2006) (“[R]esearch has found no significant difference in recidivism rates between the inmates who complete boot camp programs and similar offenders who serve their sentences in traditional institutions. . . . The lack of significant beneficial results, coupled with recent budgetary constraints,” led to the elimination of the program. (quotations omitted)); *Palomino v. Federal Bureau of Prisons*, 408 F.Supp.2d 282, 292-93 (S.D. Tex. 2005) (“A prisoner does not have a constitutional due process right to incarceration in a particular place or at a particular institution.”); *Mares v. Federal Bureau of Prisons*, 401 F.Supp.2d 775, 778 (S.D. Tex. 2005) (“Congress intended to authorize the BOP to operate a boot camp program but did not intend to require operation of such a program.” (quoting *Castellini v. Lappin*, 365 F.Supp.2d 197, 202 (D. Mass. 2005))).

IT IS, THEREFORE, ORDERED that the Defendant’s motion is hereby **DENIED**.

Signed: October 23, 2006

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', written over a horizontal line.

Lacy H. Thornburg
United States District Judge

